

## **EXHIBIT D**

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October 8, 2008

Via Electronic Mail

Lori Fife  
Weil, Gotshal & Manges  
767 Fifth Avenue  
New York, NY 10153

Harold Novikoff  
Wachtell, Lipton, Rosen & Katz  
51 West 52nd Street  
New York, New York 10019

Re: Sola Ltd. with Lehman Brothers  
Special Financing and JP Morgan Chase

Dear Counsel:

We represent Sola Ltd. ("Sola"). We write to you hoping to avoid litigation of a simple dispute involving JP Morgan Chase ("JP Morgan") and Lehman Brothers Special Financing ("LBSF"). We ask that JP Morgan return \$3 million of Sola's funds that were mistakenly wired to JP Morgan for the behalf of LBSF.

The facts set forth are undisputed. On September 12, 2008, \$3 million of MKP's funds were mistakenly wired by BNY Mellon to JP Morgan for the account of LBSF. This wire transfer was made in error in response to a September 10 payment confirmation from LBSF to Sola. The confirmation was misread to read that Sola owed \$3 million to LBSF when, in fact, the contrary was true. On September 12, LBSF wired the \$3 million that it owed to Sola pursuant to the payment confirmation.

However, Sola has not received the \$3 million that was sent in error to LBSF. We understand that the funds are still in the hands of JP Morgan. These funds are not owed to LBSI, belong to Sola, and are not property of the LBSI bankruptcy estate. We ask that JP Morgan immediately remit these funds to Sola's account and that LBSI consent to such remittance.

We would appreciate it if you would review the information below, take a reasonable time to verify its accuracy, and advise us if you would agree to entry of a consent order in the Chapter 11 case providing for the return of Sola's property.

It is our hope that your clients will work cooperatively with Sola to arrange the return of Sola's property, including securing any necessary relief from the bankruptcy court through a consensual process in the interests of avoiding litigation. Sola has long and deep relationships with each of your client firms and greatly desires a consensual solution in the interests of efficiency and its respective business relationships. Our client will be sending a copy of this letter to the relevant internal business contacts at your respective clients, consisting of: at JPM –Michael Lahey and at LBSF – [Suresh Rathor].

We will contact each of you about this matter shortly. Please contact me if you have any questions or need additional information

Very truly yours,  
/s/ Paul R. DeFilippo  
Paul R. DeFilippo

cc: Joseph Lonetto